

# HOUSE BILL 380

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HB 1170/09 – W&M

0lr1767

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By: **Delegate Simmons**  
Introduced and read first time: January 28, 2010  
Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Campaign Contributions by Persons Engaged in Gaming**  
3 **Activity in the State**

4 FOR the purpose of providing that certain persons that make campaign contributions  
5 to certain campaign finance entities may not receive a license or other permit to  
6 conduct certain gaming activities in the State for a certain period of time after  
7 making the contribution; requiring that the license or permit of certain persons  
8 that are authorized to conduct certain gaming activities in the State be  
9 suspended for a certain period of time if the person makes a campaign  
10 contribution to certain campaign finance entities; defining certain terms;  
11 attributing the campaign contributions of certain persons to certain other  
12 persons for certain purposes; and generally relating to campaign contributions  
13 by persons engaged in or seeking a license or other permit to conduct gaming  
14 activity in the State.

15 BY adding to  
16 Article – Election Law  
17 Section 13–237  
18 Annotated Code of Maryland  
19 (2003 Volume and 2009 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article – Election Law**

23 **13–237.**

24 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**  
25 **MEANINGS INDICATED.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1           **(2) "GAMING ACTIVITY" MEANS A VIDEO LOTTERY TERMINAL OR**  
2 **A CASINO AUTHORIZED BY THE STATE.**

3           **(3) "KEY EMPLOYEE" MEANS AN INDIVIDUAL WHO, ACTING AS AN**  
4 **AGENT OR VIDEO LOTTERY EMPLOYEE OF A PERSON OR LICENSEE, SUPERVISES**  
5 **MORE THAN TWO AGENTS OR EMPLOYEES OF THE PERSON OR LICENSEE**  
6 **AUTHORIZED TO ENGAGE IN GAMING ACTIVITY IN THE STATE.**

7           **(4) "LICENSEE" HAS THE MEANING STATED IN § 9-1A-01 OF THE**  
8 **STATE GOVERNMENT ARTICLE.**

9           **(5) "OWN" HAS THE MEANING STATED IN § 9-1A-01 OF THE**  
10 **STATE GOVERNMENT ARTICLE.**

11           **(6) "VIDEO LOTTERY" HAS THE MEANING STATED IN § 9-1A-01**  
12 **OF THE STATE GOVERNMENT ARTICLE.**

13           **(7) "VIDEO LOTTERY TERMINAL" HAS THE MEANING STATED IN §**  
14 **9-1A-01 OF THE STATE GOVERNMENT ARTICLE.**

15           **(B) THIS SECTION APPLIES TO THE FOLLOWING PERSONS:**

16           **(1) AN APPLICANT FOR A LICENSE TO ENGAGE IN GAMING**  
17 **ACTIVITY IN THE STATE;**

18           **(2) A LICENSEE OR OTHER PERSON AUTHORIZED TO ENGAGE IN**  
19 **GAMING ACTIVITY IN THE STATE;**

20           **(3) A HOLDING COMPANY, INTERMEDIARY COMPANY, OR A**  
21 **SUBSIDIARY COMPANY OF:**

22                   **(I) AN APPLICANT FOR A LICENSE TO ENGAGE IN GAMING**  
23 **ACTIVITY IN THE STATE; OR**

24                   **(II) A LICENSEE OR OTHER PERSON AUTHORIZED TO**  
25 **ENGAGE IN GAMING ACTIVITY IN THE STATE;**

26           **(4) A KEY EMPLOYEE OF, OR A PERSON OR AGENT ON BEHALF OF:**

27                   **(I) AN APPLICANT FOR A LICENSE TO ENGAGE IN GAMING**  
28 **ACTIVITY IN THE STATE; OR**

29                   **(II) A LICENSEE OR OTHER PERSON AUTHORIZED TO**  
30 **ENGAGE IN GAMING ACTIVITY IN THE STATE; AND**

1           **(5) A PERSON WHO OWNS AN INTEREST IN THE OPERATION OF**  
2 **VIDEO LOTTERY OR IN OTHER GAMING ACTIVITY.**

3           **(C) THIS SECTION DOES NOT APPLY TO GAMING ACTIVITY THAT AN**  
4 **ELIGIBLE ORGANIZATION IS AUTHORIZED TO CONDUCT UNDER THE CRIMINAL**  
5 **LAW ARTICLE.**

6           **(D) (1) THIS SUBSECTION APPLIES TO A PERSON DESCRIBED IN**  
7 **SUBSECTION (B) OF THIS SECTION THAT, DIRECTLY OR INDIRECTLY, MAKES A**  
8 **CONTRIBUTION TO:**

9                   **(I) THE CAMPAIGN FINANCE ENTITY OF A CANDIDATE FOR**  
10 **NOMINATION OR ELECTION TO ANY PUBLIC OFFICE IN THE STATE;**

11                   **(II) THE CAMPAIGN FINANCE ENTITY OF A POLITICAL**  
12 **PARTY; OR**

13                   **(III) ANY OTHER CAMPAIGN FINANCE ENTITY ORGANIZED IN**  
14 **SUPPORT OF:**

15                           **1. A CANDIDATE FOR NOMINATION OR ELECTION TO**  
16 **ANY PUBLIC OFFICE IN THE STATE; OR**

17                           **2. A POLITICAL PARTY.**

18           **(2) (I) THE STATE MAY NOT ISSUE A LICENSE OR OTHER**  
19 **PERMIT TO CONDUCT ANY GAMING ACTIVITY IN THE STATE TO A PERSON THAT**  
20 **MAKES A CONTRIBUTION TO A CAMPAIGN FINANCE ENTITY DESCRIBED IN**  
21 **PARAGRAPH (1) OF THIS SUBSECTION FOR A PERIOD OF 3 YEARS FROM THE**  
22 **DATE THE CONTRIBUTION WAS MADE.**

23                   **(II) IF A PERSON THAT MAKES A CONTRIBUTION TO A**  
24 **CAMPAIGN FINANCE ENTITY DESCRIBED IN PARAGRAPH (1) OF THIS**  
25 **SUBSECTION HOLDS A LICENSE OR OTHER PERMIT TO CONDUCT GAMING**  
26 **ACTIVITY IN THE STATE AT THE TIME THE PERSON MAKES THE CONTRIBUTION,**  
27 **THE PERSON'S GAMING ACTIVITY LICENSE OR OTHER PERMIT SHALL BE**  
28 **SUSPENDED FOR 3 YEARS BEGINNING ON THE DATE THE CONTRIBUTION WAS**  
29 **MADE.**

30                   **(III) FOR THE PURPOSES OF THIS SUBSECTION,**  
31 **CONTRIBUTIONS MADE BY A PERSON DESCRIBED IN SUBSECTION (B)(3) OR (4)**  
32 **OF THIS SECTION SHALL BE CONSIDERED TO HAVE BEEN MADE BY A PERSON**  
33 **DESCRIBED IN SUBSECTION (B)(1) OR (2) OF THIS SECTION.**

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   July 1, 2010.